

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

GERMAN BERMUDEZ RODRIGUEZ,)	
Petitioner,)	C.A. No. 21-34 Erie
)	
v.)	District Judge Susan Paradise Baxter
)	Magistrate Judge Richard A. Lanzillo
SUPERINTENDENT MICHAEL)	
CLARK, et al.,)	
Respondents.)	

MEMORANDUM ORDER

This *pro se* action for habeas corpus relief was originally filed on January 13, 2021, by Petitioner German Bermudez Rodriguez, an inmate incarcerated at the State Correctional Institution at Albion Pennsylvania (“SCI-Albion”). In his habeas petition, Petitioner seeks relief under 28 U.S.C. § 2254, in the form of an Order directing SCI-Albion officials to provide him with mental health services, and to either supply him with a keyboard he purchased and never received or give him a refund. The petition was referred to United States Magistrate Judge Richard A. Lanzillo, for report and recommendation in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrate Judges.

On March 25, 2021, Magistrate Judge Lanzillo issued a Report and Recommendation (“R&R”) recommending that the petition be dismissed, without prejudice, because Petitioner has failed to allege any cognizable grounds for habeas relief, and recommending further that a Certificate of Appealability be denied [ECF No. 6]. Objections to the R&R were due to be filed by April 12, 2021; however, no objections have been received from Petitioner.

Thus, after *de novo* review of the petition and documents in the case, together with the report and recommendation, the following order is entered:

AND NOW, this 28th day of May, 2021,

IT IS HEREBY ORDERED that the within petition for a writ of habeas corpus is DISMISSED, without prejudice, and that a Certificate of Appealability is DENIED. The report and recommendation of Magistrate Judge Lanzillo, dated March 25, 2021 [ECF No. 6], is adopted as the opinion of this Court. As there are no further matters pending before the Court relative to the instant petition, the Clerk is directed to mark this case "CLOSED."


SUSAN PARADISE BAXTER
United States District Judge

cc: The Honorable Richard A. Lanzillo
United States Magistrate Judge

All parties of record